

REMARKS

Appended to this response is a copy of the Appointment of Associate Attorney that was filed with the last response. This form directs all future correspondence to the address associated with Customer Number 29683. As it appears that this information was not previously entered for this application, it is respectfully requested that this information be entered now, and that all future correspondence be directed to Customer No.: 29683.

Claims 1-25, and the newly added claims 26-29, are all rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholas et al. (U.S. 6,593,944) in view of Morgenthaler (US 6,310,609). This rejection has been made final. This rejection is again respectfully disagreed with, and is traversed below.

As was stated in the previous response, Nicholas et al. describe a system for use with a PDA or similar small-sized display screen device (including a cellular telephone (col. 9, line 66)) where frame identifiers (tag keywords <frameset> and </frameset>) are detected in a HTML file and, if found, geometric frame representations are displayed, thereby giving the user the opportunity to select a given one of the frames for display on the small size display screen (see, generally, col. 12, lines 7-60). Selecting a displayed geometric frame identifier can be done by pressing a specific key, clicking a mouse, or by pointing with a stylus or pen. More specifically, in col. 13, lines 25-34, Nicolas et al. state:

"The application provides a user interface to the user. Utilizing the user interface, the user can select a geometric frame identifier by inputting the label number corresponding to the geometric frame identifier, pressing a specific key (on a keyboard, a keypad, or a set of function keys 75) which is associated with the label number, clicking a mouse while a cursor is positioned over a specific geometric frame identifier, pointing at a specific geometric frame identifier (on the small-sized electronic display device) with a stylus or pen, or in any other appropriate manner." (Emphasis added)

Figure 7 shows hyperlink elements 770A, 770B and 770C in Frames 1-3, respectively. Selecting

a hyperlink element is used to link or jump to another desired Web page (see col. 14, lines 57-59, and col. 15, lines 13-15 and 35-37).

During a Web browsing session a user can provide a desired URL. More specifically, what is stated at col. 11, lines 52-67, is the following:

"In accordance with the present invention, a Web browsing session is initiated by the user who provides a URL 780 associated with a desired Web page 720 which the user requests to view on the small-sized electronic display device 105 coupled to the personal digital assistant 100, whereas the URL 780 is provided to the application (e.g., Web browser) which is configured to execute the present invention and which is operating on the personal digital assistant 100. The user can provide the URL 780 by inputting the URL 780, pressing a specific key (on a keyboard, a keypad, or a set of function keys 75) which is associated with the URL 780, clicking a mouse while a cursor is positioned over a hyperlink element associated with the URL 780, pointing at a hyperlink element associated with the URL 780 (on the small-sized electronic display device) with a stylus or pen, or in any other appropriate manner." (emphasis added)

As was noted in the prior response, exactly how a specific key would be associated with a frame identifier or a URL is not disclosed or suggested by Nicholas et al. Further, and with specific regard to a hyperlink, the only disclosure as to hyperlink selection is "clicking a mouse while a cursor is positioned over a hyperlink element associated with the URL" and "pointing at a hyperlink element...with a stylus or pen". Thus, it may be assumed that the hyperlink elements 770A, 770B and 770C in Figure 7 would be selected in the same way, i.e., by "clicking a mouse" or by pointing at them "with a stylus or pen".

The Examiner is still correct by stating that Nicolas et al. do not specifically teach "illuminating at least one character-entry pressure point having a character encoding".

However, the Examiner again uses the commonly assigned Morgenthaler patent for purportedly teaching the subject matter that is missing from Nicolas et al., and states that it would have been obvious to one skilled in the art to combine these teachings to arrive at the claimed invention.

It is respectfully pointed out that in accordance with the commonly assigned Morgenthaler U.S. Patent:

"By selectively illuminating one or more of the light sources, the associated key will be identified to the user. By illuminating only those keys which provide valid responses for any given operation, the operator is guided through the proper operation of the telephone without referring to the written manual or user's guide. Moreover, by identifying the proper keys to accomplish a particular menu command sequence, the user may more quickly complete the menu selection and is less likely to initiate an undesired command by pressing a wrong key." (col. 5, lines 43-52, emphasis added); and

"If no keys are pressed, the lights remain off, as shown in step 406. However, in the event a key is pressed by the user, the user interface illuminates the available keys in step 410 such that the user may easily identify the keys which will perform a valid function." (col. 6, lines 19-23, emphasis added).

As is stated in the Abstract, the user interface of Morgenthaler includes "a means for identifying the appropriate keys on the keypad which correspond to the step or steps required to activate a desired operation to be performed within the device."

That is, the illumination of keypad keys in Morgenthaler is beneficially used to aid the user in activating desired operations and functions, such as by navigating through a particular menu command sequence without having to refer to a user's manual or guide.

This being the case, it is clearly not admitted that one skilled in the art would be led to combine the teachings of Nicolas et al. and Morgenthaler as done by the Examiner. As was stated above, Nicolas et al. are silent as to how a specific key would be associated with a frame identifier or a URL, and as to hyperlink selection, the disclosure states that this is done by "clicking a mouse" or by pointing "with a stylus or pen". It is thus not seen how one skilled in the art would be led to look to the menu selection and navigation function of Morgenthaler, that uses the illumination of those keys required to perform a desired function (and who does not mention any constraints imposed by the size of the display 102). In Morgenthaler, the keys that are illuminated are "the

appropriate keys on the keypad which enable a particular command to be performed within the telephone" (see col. 3, lines 53-56). In the Nicholas et al. device they are concerned with the formatting of a Web page to a small sized display, and accomplish this by identifying frames and displaying indications of the frames, thereby giving the user the opportunity to select a particular frame to be displayed. In this context Nicholas et al. are not looking to provide the user with the opportunity to activate a device function or a device command, or to navigate though a device menu. As such, it is submitted that one skilled in the art would not be led, based on a reading of Nicholas et al., to the teaching of Morgenthaler as it pertains to the use of illuminated keypad keys in phone-related menu navigation functions.

In the Response to Arguments section (Section 4) of the most recent Office Action the Examiner takes issue with the foregoing arguments, stating with regard to Nicolas et al. that they teach the activation of a hypertext link by means of a key press, and specifically that the user can provide the URL by inputting the URL, "pressing a specific key (i.e., function keys)" associated with the URL, or by clicking a mouse or pointing with a pen.

The Applicants again make note that Nicolas et al. do not specify exactly how a "specific key", such as a function key, would be associated with a frame identifier or a URL. For example, is the association a fixed association, or is some type of "soft key" approach used? Nicolas et al. are silent on this point.

Further, the Examiner has disagreed with the Applicants' argument regarding the inappropriate combination of Nicolas et al. and Morgenthaler. In this regard the Examiner states that Morgenthaler:

"teaches using illuminated keypad keys (different color lights) to guide a user to access and select Internet functions".

It is respectfully submitted that Morgenthaler does not explicitly disclose this subject matter. In fact, the word "Internet" appears but once in Morgenthaler in the following context (col. 9, lines 16-24):

"The present invention has been discussed in conjunction with mobile telephones. However, it should be understood that the user interface with guide lights of the present invention may be implemented in a variety of other devices. Such devices could include for example, **wireless communicators, which include functions of Internet access**, facsimile transmission and electronic mail in addition to being a mobile telephone, wire-based telephones **and other devices having a keypad which directs an internal command sequence**" (emphasis added).

That is, Morgenthaler does not specifically disclose that her technique of illuminated keypad keys be used "to guide a user to access and select Internet functions", as stated by the Examiner, but instead that her technique for "illuminating only those keys which provide valid responses for any given operation" can be used by which

"the operator is **guided through the proper operation of the telephone without referring to the written manual or user's guide**. Moreover, **by identifying the proper keys to accomplish a particular menu command sequence**, the user may more quickly complete the menu selection and is less likely to initiate an undesired command by pressing a wrong key." (col. 5, lines 43-52, emphasis added).

When read in its proper context, it is clear that the "Internet" reference by Morgenthaler is meant to include her novel technique guiding a user through the proper operation (an "internal command sequence") of "wireless communicators, which include functions of Internet access", without needing to refer to the written manual or user's guide.

This being the case, the independent claims 1, 10, 17 and 26 are clearly not rendered obvious or unpatentable by the Examiner's proposed combination of the small screen user interface of Nicholas et al. and the phone or wireless communicator menu navigation aid of Morgenthaler, that uses illuminated keypad keys to guide a user through the various menu levels and selections.

As was argued previously, Nicholas et al. do not disclose that they are interested in a small screen user interface that "directs an internal command sequence" of their PDA, and at least for this reason alone they would not be drawn to the use of selective keypad key illumination, as proposed by Morgenthaler.

Further, and even if the proposed combination of Nicolas et al. and Morgenthaler were made, which is **not admitted** is suggested by a reading of these references, **the most that would be suggested** is that the illuminated key technique of Morgenthaler could be used to guide a user through the proper operation of the PDA of Nicolas et al., without requiring the user to refer to the written manual or user's guide.

What is clearly not suggested by the proposed combination is, as in claim 1, a method (or the device of claim 17 having corresponding means) that includes:

- "a) reading the markup language file;
- b) **detecting a reference to a character encoding having a corresponding function;**
- c) **illuminating at least one character-entry pressure point having a character encoding;**
- d) **detecting an entry by the character-entry pressure point; and**
- e) **triggering the function";**

or as in claim 10,

"reading the markup language file;
detecting a reference to a character encoding having a corresponding navigation function;
illuminating a character-entry pressure point having a character encoding;
detecting a pressure actuation of the character-entry pressure point; and
triggering the navigation function";

or as in claim 26, a wireless device

"comprising a CPU programmed to parse a file to identify at least one occurrence of a string representing a hyperlink and **to associate individual ones of identified string occurrences with individual ones of colors associated with a manual user data entry device of said wireless device."**

In that the independent claims 1, 10, 17 and 26 are all clearly patentable over the proposed combination of Nicholas et al. and Morgenthaler, then the dependent claims 2-9, 11-16, 18-25

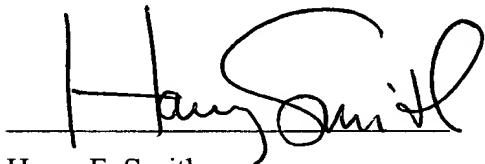
S.N. 09/766,022
Art Unit: 2674

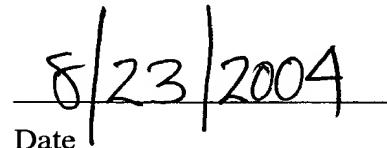
and 27-29 are also all clearly patentable. The Examiner is respectfully requested to reconsider and remove the rejection, and to allow claims 1-29 as now clarified by amendment.

Further in this regard, and as examples only, it is not seen where col. 13, line 35, to col. 14, line 6, of Nicolas et al. make any reference to "detecting an entry by the character entry pressure point" that "comprises **detecting a long-duration key press**", as in claim 6 and claim 22, or that triggering a function comprises "moving a cursor", as in claims 9 and 25. It is also not seen where col. 8, lines 44-54, of Morgenthaler, in combination with Nicolas et al., makes any reference to, or would render obvious, the subject matter of claims 12 and 13 is it pertains to "**sensing a long duration circuit closure**".

The Examiner is respectfully requested to reconsider and remove the final rejection of claims 1-29, to allow all of these claims, and to pass this patent application to issue. An early notification of the allowance of all of these claims is earnestly solicited.

Respectfully submitted:


Harry F. Smith


Date

Reg. No.: 32,493

Customer No.: 29683

HARRINGTON & SMITH, LLP

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203)925-9400

Facsimile: (203)944-0245

email: hsmith@hspatent.com



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

8/23/04

Clinton L. Morris

Date

Name of Person Making Deposit

RECEIVED

AUG 26 2004

Technology Center 2600